

**UNITED STATES DISTRICT COURT**  
DISTRICT OF NEW JERSEY

CHAMBERS OF  
STANLEY R. CHESLER  
JUDGE

SENATOR FRANK R. LAUTENBERG BUILDING  
UNITED STATES COURTHOUSE AND POST OFFICE  
NEWARK, N.J. 07101-0999  
(973) 645-3136

March 15, 2023

Mr. Jose Pena  
72141-050  
Ray Brook Federal Correctional Institution  
Inmate Mail/Parcels  
P.O. Box 900  
Ray Brook, NY 12977

**LETTER OPINION  
AND ORDER**

**Re: United States of America v. Jose Pena  
Criminal Action No. 19-545**

Dear Mr. Pena:

The Court has received your filing requesting reconsideration of your sentence reduction motion pursuant to 18 U.S.C. § 3582 in light of your reply brief. The Court has already considered your reply brief and issued an opinion concluding it does not warrant modification of the February 28 order denying relief. (ECF No. 41). In that opinion, and in all opinions before it, the Court has taken seriously its obligation to construe pro se filings liberally. See Higgs v. Att’y Gen., 655 F.3d 333, 339 (3d Cir. 2011).

The additional arguments presented in your filing have already been addressed in prior opinions, specifically those related to post-conviction rehabilitation, lockdowns, and your toothache. These issues do not satisfy the extraordinary and compelling standard for the reasons explained in those opinions. (ECF No. 27, 38, 41).

It is therefore ordered that your application for reconsideration is hereby denied.

Very truly yours,

s/ Stanley R. Chesler  
STANLEY R. CHESLER  
United States District Judge